

House Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

CHAPTER 123

HOUSE BILL 2705

AN ACT

AMENDING TITLE 36, CHAPTER 5.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-570; AMENDING LAWS 2014, CHAPTER 9, SECTION 10; RELATING TO
HUMAN SERVICES BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 5.1, article 1, Arizona Revised Statutes,
3 is amended by adding section 36-570, to read:

4 36-570. Arizona training program; annual update; notification
5 to and plan development for affected individuals

6 A. BEGINNING ON OR BEFORE NOVEMBER 1, 2016, THE DEPARTMENT SHALL
7 SUBMIT AN ANNUAL UPDATE FOR REVIEW BY THE JOINT LEGISLATIVE BUDGET COMMITTEE
8 ON THE DEPARTMENT'S PLANS FOR THE ARIZONA TRAINING PROGRAM AND ASSOCIATED
9 GROUP HOMES. THE UPDATE SHALL INCLUDE A POTENTIAL TIME TABLE FOR THE CLOSURE
10 OF ANY FACILITIES, A TIMELINE FOR THE COMPLETION OF THE TRANSITION OF THE
11 RESIDENTS IN THOSE FACILITIES TO NEW RESIDENTIAL SETTINGS AND THE ESTIMATED
12 FISCAL IMPACT. THE ESTIMATED FISCAL IMPACT SHALL INCLUDE AN ESTIMATE OF
13 COSTS NECESSARY TO MAINTAIN EXISTING SERVICE LEVELS FOR TRANSITIONING
14 INDIVIDUALS, TO BUILD CAPACITY IN THE COMMUNITY TO SUPPORT TRANSITIONING
15 INDIVIDUALS, TO PROVIDE ENHANCED AND INDEPENDENT MONITORING AND OVERSIGHT OF
16 EACH NEW PLACEMENT AND TO PROVIDE PROTECTION AND ADVOCACY SERVICES AND
17 MEDICAL AND BEHAVIORAL HEALTH CARE SUPPORT FOR TRANSITIONING INDIVIDUALS.

18 B. BEFORE THE DEPARTMENT SUBMITS ITS INITIAL UPDATE, THE DEPARTMENT
19 SHALL SEND TO EACH AFFECTED INDIVIDUAL AND THE INDIVIDUAL'S LEGAL GUARDIAN A
20 WRITTEN NOTICE OF THE DEPARTMENT'S INTENTION TO DEVELOP A PERSON-CENTERED
21 SERVICE PLAN FOR EACH AFFECTED INDIVIDUAL TO IDENTIFY POTENTIAL RESIDENTIAL
22 SETTING AND IN-HOME SERVICE OPTIONS THAT ARE BASED ON THE INDIVIDUAL'S NEEDS
23 AND PERSONAL CHOICES. THE DEPARTMENT SHALL CONDUCT MEETINGS WITH ALL
24 AFFECTED INDIVIDUALS AND THEIR LEGAL GUARDIANS REGARDING THE TRANSITION
25 PROCESS AND SHALL PROVIDE EACH INDIVIDUAL AND GUARDIAN WITH A LIST OF
26 POTENTIAL RESIDENTIAL SETTINGS AND IN-HOME SERVICE OPTIONS. FINAL DECISIONS
27 REGARDING RESIDENTIAL SETTINGS AND SERVICES SHALL BE BASED ON PERSON-CENTERED
28 PLANS, INDIVIDUAL ASSESSED NEEDS AND INDIVIDUAL PREFERENCES.

29 Sec. 2. Laws 2014, chapter 9, section 10 is amended to read:

30 Sec. 10. Department of child safety; office of
31 ombudsman-citizens aide; investigations; delayed
32 repeal

33 A. ~~Child protective services or its successor agency~~ THE DEPARTMENT OF
34 CHILD SAFETY shall establish a mechanism to direct complainants to the office
35 of ombudsman-citizens aide. The ombudsman-citizens aide shall process these
36 complaints pursuant to title 41, chapter 8, article 5, Arizona Revised
37 Statutes, except that notwithstanding section 41-1379, Arizona Revised
38 Statutes, after investigating a complaint, the ombudsman-citizens aide may
39 refer the matter to the presiding judge of the superior court of the
40 appropriate county for further review and action.

41 B. This section is repealed from and after June 30, 2016 2018.

42 Sec. 3. Department of economic security; child care assistance
43 eligibility; reduction; notification

44 Notwithstanding section 46-803, Arizona Revised Statutes, for fiscal
45 year 2016-2017, the department of economic security may reduce maximum income

eligibility levels for child care assistance in order to manage within appropriated and available monies. The department of economic security shall notify the joint legislative budget committee of any change in maximum income eligibility levels for child care assistance within fifteen days after implementing the change.

Sec. 4. Department of economic security; drug testing; TANF cash benefits recipients

During fiscal year 2016-2017, the department of economic security shall screen and test each adult recipient who is otherwise eligible for temporary assistance for needy families cash benefits and who the department has reasonable cause to believe engages in the illegal use of controlled substances. Any recipient who is found to have tested positive for the use of a controlled substance that was not prescribed for the recipient by a licensed health care provider is ineligible to receive benefits for a period of one year.

Sec. 5. Federal temporary assistance for needy families block grant monies; fiscal year 2015-2016; retroactivity

A. Notwithstanding Laws 2015, chapter 8, section 32, the department of economic security and the department of child safety may not spend in fiscal year 2015-2016 any federal temporary assistance for needy families block grant monies in excess of \$218,728,100 unless either the department of economic security or the department of child safety receives a supplemental appropriation of the block grant monies in fiscal year 2015-2016. The state general fund appropriations for the department of economic security and the department of child safety are not reduced in relation to any federal temporary assistance for needy families block grant monies received in excess of \$218,728,100 in fiscal year 2015-2016.

B. This section is effective retroactively to from and after June 30, 2015.

Sec. 6. Department of child safety; lottery monies; in-home preventive support; fiscal year 2015-2016; retroactivity

A. Notwithstanding section 5-572, Arizona Revised Statutes, of the monies allocated to the department of child safety pursuant to section 5-572, subsection C, Arizona Revised Statutes, the department may use \$3,800,000 in fiscal year 2015-2016 for in-home preventive support services.

B. This section is effective retroactively to from and after June 30, 2015.

Sec. 7. Auditor general; department of child safety; reports

A. The auditor general shall provide to the governor, the speaker of the house of representatives, the president of the senate and the directors of the joint legislative budget committee and the governor's office of strategic planning and budgeting the following reports concerning the department of child safety that address:

1 1. The department's administrative staffing level. The report shall
2 assess the reasonability of the department's current administrative staffing
3 level and its staffing level compared to other state agencies and best
4 practices. In evaluating the reasonability of the department's
5 administrative staffing level, the auditor general shall address the
6 department's staffing analysis processes.

7 2. The department's recruiting, training, retention and use of staff.
8 The report shall review the department's recruiting, training, retention and
9 use of staff who are critical to the mission of child safety, including
10 caseworkers, supervisors, case aides, assistant program managers and office
11 of child welfare investigations staff, compared to other states and best
12 practices. In evaluating the retention of caseworkers, the auditor general
13 shall determine the availability of services and the use of supportive
14 practices such as reflective supervision, peer review and mental health
15 support for caseworkers.

16 3. The department's substance abuse treatment program, Arizona
17 Families F.I.R.S.T. (Families in Recovery Succeeding Together). This report
18 shall evaluate the department's substance abuse treatment program by
19 comparing the program to other states' practices and best practices and
20 recommending improvements. The evaluation of other states shall include a
21 component that addresses those states' use of adult substance abuse treatment
22 intervention programs listed by the California evidence-based clearinghouse
23 for child welfare. The report shall also examine the roles of recovery
24 coaches, halfway houses, transportation, counseling, drug testing, housing
25 assistance and other services in the substance abuse treatment program. In
26 addition, the report shall examine the prevalence of waiting lists or other
27 barriers to substance abuse treatment for parents whose children are in
28 out-of-home care or receiving in-home preventive support services.

29 B. The auditor general shall submit the report prescribed by
30 subsection A, paragraph 1 of this section on or before February 1, 2017, the
31 report prescribed by subsection A, paragraph 2 of this section on or before
32 September 30, 2017 and the report prescribed by subsection A, paragraph 3 of
33 this section on or before March 31, 2018.

34 Sec. 8. Child welfare; joint report

35 The Arizona early childhood development and health board and the
36 department of child safety shall jointly report to the joint legislative
37 budget committee on their collaborative efforts to address child welfare
38 issues of common concern. The report shall include information about the
39 level of coordination among the department of child safety, the Arizona early
40 childhood development and health board and community groups to promote the
41 well-being of children and families that are identified in reports of abuse
42 or neglect. The joint report shall be submitted on or before February 1,
43 2017 for the prior year.

1 Sec. 9. Department of child safety; review of foster home
2 requirements; report; delayed repeal

3 A. The department of child safety shall:

4 1. Review the implementation of foster home licensing rules,
5 guidelines and checklists.

6 2. Review the cases in which foster home licenses were denied.

7 3. Hold public meetings to solicit input from foster families on the
8 implementation of new foster home licensing rules, guidelines and checklists.

9 4. Identify any modifications required in new foster home licensing
10 rules, guidelines or checklists.

11 B. The department shall provide a report of its findings in the
12 review made under subsection A of this section to the speaker of the
13 house of representatives and the president of the senate on or before
14 December 31, 2016.

15 C. This section is repealed from and after September 30, 2017.

16 Sec. 10. Retroactivity

17 Laws 2014, chapter 9, section 10, as amended by this act, and section 9
18 of this act apply retroactively to from and after June 30, 2016.

APPROVED BY THE GOVERNOR MAY 10, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 10, 2016.


Passed the House May 3, 20 16

by the following vote: 36 Ayes,

24 Nays, 0 Not Voting


Speaker of the House


☒ Pro Tempore



Chief Clerk of the House

Passed the Senate May 3, 20 16

by the following vote: 18 Ayes,

12 Nays, 0 Not Voting


President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

4th day of May, 20 16

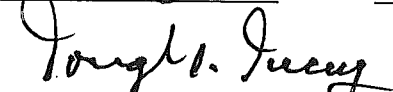
at 1:31 o'clock A. M.


Secretary to the Governor

Approved this 10th day of

May

at 8:53 o'clock A. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 10th day of May, 20 16

at 11:33 o'clock A. M.


Secretary of State

H.B. 2705